


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
JUL 27 PM 3:58

IN THE MATTER OF

RULE 32 WAIVERS

BY 
ADMINISTRATIVE ORDER
(Amends N.D. Order filed 12/5/94)

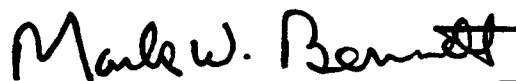
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1. This order governs procedures for the filing of Rule 32 waivers in the Western and Central Divisions in which the defendant consents to the preparation and inspection of a presentence investigation report prior to the Court's formal acceptance of a plea of guilty.

2. Upon the Clerk's filing of the Rule 32 waiver, the Probation Office shall commence to prepare a presentence investigation and make a report thereof only if the government, defense counsel and the Probation Office agree that it is in the interests of justice to do so. Said agreement may be oral or written. The government shall submit an Offense Conduct Statement to the Probation Office in accordance with the time frame set forth in the Guidelines Sentencing Procedures Administrative Order dated December 2, 1994. Defense counsel may submit an Offense Conduct Statement within this same time frame.

3. It is the intent of the Court that any exception to this procedure will be rare and, on that occasion, the Court will consider a departure from the procedure only if it is convinced that it is in the best interest of justice to do so.

Done and so ordered this 25th day of July, 2000.




Mark W. Bennett, Chief Judge
UNITED STATES DISTRICT COURT

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Copies disbursed on 07-28-00 to:

Chief Judge Mark W. Bennett
District Judge Michael J. Melloy
Senior Judge Edward J. McManus
Senior Judge Donald E. O'Brien
Chief Magistrate Judge John A. Jarvey
Magistrate Judge Paul A. Zoss
Clerk, James D. Hodges, Jr.
Chief Probation Officer Michael Ebinger
Clerk's divisional office, Sioux City
U.S. Attorney, Cedar Rapids
Public Defender, Cedar Rapids



Chief Deputy Clerk